

FILED

JUN 27 2019

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD DANIELEE LUTER,

Defendant.

4:19CR492 HEA/DDN

INDICTMENT

COUNT I

The Grand Jury charges that:

At all times pertinent to the charges in this indictment:

1. Federal law defined the term:

(a) “minor” to mean any person under the age of eighteen years (18 U.S.C. Section 2256(a));

(b) “sexually explicit conduct” to mean actual or simulated

(i) sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex,

(ii) bestiality,

- (iii) masturbation,
 - (iv) sadistic or masochistic abuse, or
 - (v) lascivious exhibition of the genitals or pubic area of any person (18 U.S.C. Section 2256(2)(A)); and
 - (c) “computer” to mean an electronic, magnetic, optical, electrochemical or other high speed data processing device performing logical, arithmetic or storage functions, including any data storage facility or communications facility directly related to or operating in conjunction with such device. (18 U.S.C. Section 2256(6)).
 - (d) "child pornography" to mean any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where--
 - (A) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct; or
 - (C) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.
2. The “Internet” was, and is, a computer communications network using interstate and foreign lines to transmit data streams, including data streams used to store, transfer and receive graphic files.
3. Between on or about June 1, 2018 and on or about August 11, 2018, within the

Eastern District of Missouri and elsewhere,

RICHARD DANIELEE LUTER,

the defendant herein, did knowingly employ, use, persuade, induce, entice, and coerce a minor, S.S., to engage in sexually explicit conduct, specifically, RICHARD DANIELEE LUTER produced video of S.S. exchanged in oral sex, and said sexually explicit conduct was for the purpose of producing a visual depiction of such conduct and such visual depiction was produced using materials that had been mailed, shipped, or transported in interstate and foreign commerce, i.e., cell phone.

In violation of Title 18, United States Code, Section 2251(a) and punishable under Title 18, United States Code, Section 2251(e).

COUNT II

The Grand Jury further charges that:

1. The allegations contained in paragraphs one and two of Count I of this Indictment are incorporated by reference as if fully set forth herein.
2. Between on or about April 29, 2015, and on or about May 8, 2015, in the Eastern District of Missouri, and elsewhere,

RICHARD DANIELEE LUTER,

the defendant herein, did knowingly transport an individual under the age of eighteen in interstate and foreign commerce, with the intent that the individual engage in any sexual activity for which a person can be charged with a criminal offense; to wit: defendant, who was at least twenty-one years of age, transported A.D. from the State of Illinois to the Eastern District of Missouri and engaged in vaginal intercourse with A.D. in the Eastern District of Missouri, while A.D. was under the age of fourteen years, in violation of Missouri Revised Statute, 566.032.1 and

In violation of Title 18, United States Code, Sections 2423(a) and 2 and punishable under Title 18, United States Code, Section 2423(a).

A TRUE BILL.

FOREPERSON

JEFFREY B. JENSEN
United States Attorney

COLLEEN LANG, #56872MO
Assistant United States Attorney